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11 COUNTY OF LOS ANGELES, DEPUTY CRISTINA MARTINEZ,
12 DEPUTY CASEY CHESHIER and DEPUTY ADAM PRUITT

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JAMES (JIM) OWENS,

Plaintiff,

vs.

COUNTY OF LOS ANGELES, DEPUTY
MARTINEZ, DEPUTY SHESHIRE, DOES
1-10, inclusive,

Defendants.

) Case No.: CV08-07116 DMG

)
**DECLARATION OF ADAM
PRUITT IN SUPPORT OF
DEFENDANTS' MOTION
FOR SUMMARY
ADJUDICATION OF ISSUES**

) Trial Date: October 4, 2010

) PTC Date: September 27, 2010

I, Adam Pruitt, declare as follows:

1. I am a defendant named in the above-entitled lawsuit. The following facts are of my personal knowledge, and if called as a witness, I could competently testify thereto.

2. I have been employed by the Los Angeles County Sheriff's Department ("LASD") since October 1999.

3. In December 2007, I was assigned as a Deputy to Lennox Station and currently hold that same position.

4. On December 15, 2007, at shortly after 11:00 p.m., Los Angeles County Sheriffs Department Lennox Station dispatch received a call from a resident of 4109

169th St. in Lawndale regarding suspicious males out in the street.

5. Along with Deputy Cheshier, I responded to this call for service.

6. I believe that my actions, as well as those of Deputy Cheshier and Deputy Martinez, during this encounter were reasonable and justified under the circumstances and did not violate any clearly established law.

7. At some point after this encounter, I was contacted by Lieutenant Bearse as part of an investigation of a citizen complaint arising out of this incident. Pursuant to his request, I prepared a memorandum regarding my involvement and observations. Attached hereto and incorporated by reference as Exhibit A is a true and correct copy of my correspondence to Lt. Bearse dated December 28, 2007.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this ____th day of July, 2010, at Los Angeles, California.



Adam Pruitt

EXHIBIT “A”

761651N25A - SH-AD-32A (272) -

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: 12/28/07

OFFICE CORRESPONDENCE

FILE NO.

FROM: DEPUTY A. PRUITT #466357 TO: LIEUTENANT P. BEARSE 253703

SUBJECT: 12-15-07 2336 HOURS TAG 163

ON 12/16/07 AT APPROXIMATELY 2336 HOURS I RESPONDED TO ASSIST UNIT 35 REGARDING A CALL OF SUSPICIOUS PERSONS ON THE 4100 BLOCK OF 169TH ST.

UPON ARRIVING AT THE LOCATION I SAW A MALE (LATER IDENTIFIED AS JAMES OWENS) LEANING INTO THE OPEN DRIVER SIDE DOOR OF A VEHICLE PARKED ALONG THE NORTH CURB LINE OF 169TH ST. I SAW NO OTHER PERSONS ON THE 4100 BLOCK OF 169TH ST. AS I EXITED MY VEHICLE, DEPUTY CHESHIER CONTACTED THE MR. OWENS. AS DEPUTY CHESHIER CONTACTED MR. OWENS, HE BEGAN LOUDLY CALLING OUT SOMEONE'S NAME.

DEPUTY CHESHIER CALMED MR. OWENS AND CONDUCTED A PAT DOWN SEARCH OF HIS PERSON FOR WEAPONS. AS DEPUTY CHESHIER STARTED HIS PAT DOWN SEARCH, MR. OWENS STATED TO BE CAUTIOUS OF HIS LEG BECAUSE HE HAD KNEE INJURY. DEPUTY CHESHIER ACKNOWLEDGED MR. OWENS INJURY AND STATED HE WOULD BE CAREFUL NOT TO CAUSE ANY DISCOMFORT DURING OUR CONTACT WITH HIM.

AS DEPUTY CHESHIER ESCORTED MR. OWENS TO HIS VEHICLE, A FEMALE (LATER IDENTIFIED AS MR. OWENS FIANCÉ, NFD) EXITED THE LOCATION DIRECTLY IN FRONT OF WHERE WE HAD CONTACTED MR. OWENS. I WALKED UP ONTO THE NORTH SIDE WALK AND CONTACTED THE FEMALE. UPON CONTACTING THE FEMALE SHE ASKED WHY WE WERE DETAINING HER FIANCÉ. I EXPLAINED TO HER THAT WE RECEIVED A CALL REGARDING SUSPICIOUS MALES ON HER STREET AND THAT MR. OWENS WAS THE ONLY PERSON IN THE AREA AND HE WAS LEANING INTO A VEHICLE AS WE ARRIVED.

THE FEMALE STATED THE CALL WE RECEIVED WAS PROBABLY REGARDING HER NEIGHBORS (HOME DIRECTLY WEST) WHO WERE OUTSIDE THEIR HOME BEING LOUD PRIOR TO OUR ARRIVAL.

I ASSURED THE FEMALE THAT MR. OWENS WAS ONLY BEING CHECKED FOR ANY POSSIBLE WARRANTS BY DEPUTY CESHIER AND WOULD BE RELEASED MOMENTARILY. THE FEMALE STATED SHE UNDERSTOOD WHY WE WERE DETAINING HER FIANCÉ AND ASSURED ME THAT HE WAS NOT INVOLVED IN ANY ILLEGAL ACTIVITY. THE FEMALE AND I WENT ON TO DISCUSS HER WORK IN REDONDO BEACH, THE FACT THAT HER AND HER FIANCÉ WERE ABOUT TO WATCH A MOVE, AND THAT SHE USED TO WORK FOR THE COUNTY OF LOS ANGELES. AT NO TIME DID THE FEMALE AGAIN BRING UP MR. OWENS DETENTION.

DEPUTY CESHIER APPROACHED MYSELF AND THE FEMALE. I TOLD DEPUTY CESHIER I HAD EXPLAINED TO THE FEMALE WHY WE WERE DETAINING MR. OWENS. THE FEMALE TOLD DEPUTY CESHIER SHE UNDERSTOOD THE REASON FOR THE DETENTION.

DEPUTY CESHIER THEN WALKED TO HIS PATROL VEHICLE AND RELEASED MR. OWENS. THE FEMALE AND MR. OWENS WALKED TO THE VEHICLE WHERE DEPUTY CESHIER HAD ORIGINALLY DETAINED HIM AND RETRIEVED HIS PROPERTY. AS I RETURNED TO MY VEHICLE I AGAIN TOLD MR. OWENS AND HIS FIANCÉ TO HAVE A GOOD NIGHT AND SORRY ABOUT THE DELAYING THEM FROM WATCHING THEIR MOVIE. THEY BOTH TOLD ME TO HAVE A GOOD NIGHT. I ENTERED MY VEHICLE AND LEFT THE LOCATION WITHOUT INCIDENT.